

State Water Resources Control Board
Division of Water Quality
Water Quality Certification Program

**Public Notice
of Application for Water Quality Certification**

Pursuant to federal law (Title 33, United States Code, Section 1341; Clean Water Act Section 401), applicants for a federal license or permit for activities which may discharge to waters of the United States must seek Water Quality Certification from the state or Indian tribe with jurisdiction. Such Certification is based on a finding that the discharge will meet water quality standards and other applicable requirements. In California, Regional Water Quality Control Boards (RWQCBs) issue or deny Certification for discharges within their geographical jurisdiction. The State Water Resources Control Board (State Water Board) has this responsibility for projects affecting waters within multiple RWQCB jurisdictions.

The following information is provided in satisfaction of the public notice requirements of Section 3858, Title 23, of the California Code of Regulations, which govern the State's Certification Program.

Applicant: California Department of Fish and Game

Applicant Contact: Patty Forbes, California Department of Fish and Game

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Project Name: The 2010 Fisheries Restoration Grant Program

Date of Application: April 7, 2010

**Public Notice for Water Quality Certification and/or Waste
Discharge Requirements (Dredge/Fill Projects)**

California Department of Fish and Game 2010 Fisheries Restoration Grant Program

Affected Counties: Del Norte, Humboldt, Marin, Mendocino, Monterey, San Luis Obispo,
Siskiyou, Sonoma, and Trinity

On April 7, 2010, the State Water Board received an application from the Department of Fish and Game (CDFG) requesting Federal Clean Water Act, section 401 Water Quality Certification for activities related to the 2010 Fisheries Restoration Grant Program. The purpose of the program is to restore anadromous fisheries habitat in non-tidal reaches of rivers and streams, improve watershed conditions impacting salmonid streams, and improve the survival, growth, migration, and reproduction of anadromous fish. CDFG, through the Fisheries Restoration Grant Program, uses funds mandated to restore degraded anadromous fish habitat in coastal streams for a variety of salmonid habitat restoration projects. Restoration projects must be consistent with the procedures found in CDFG's "California Salmonid Stream Habitat Restoration Manual". The Fisheries Restoration Grant Program manages an annual grant cycle initiated in the spring of each year.

Proposed program activities are designed to restore salmon and steelhead habitat with the goal of increasing populations of wild anadromous fish in coastal streams and watersheds. Habitat restoration activities and practices include fish passage projects, bank stabilization treatments, road decommissioning or upgrade, and replacement or modification of culverts that are barriers

to fish passage. Proposed structures would provide predator escape and resting cover, increased spawning habitat, improve upstream and downstream migration corridors, improve pool to riffle ratios, and add habitat complexity and diversity. Some structures would be designed to reduce sedimentation, protect unstable banks, stabilize existing slides, provide shade, and create scour pools. Projected permanent and temporary impacts to Waters of the U.S., including wetlands and Waters of the State, are summarized in Table 1, below.

TABLE 1: Summary of Impacts to Waters of the State and U.S.				
Feature	Permanent Impacts (expressed as ac.)	Permanent Impacts (expressed as lin. ft.)	Temporary Impacts (expressed as ac.)	Temporary Impacts (expressed as lin. ft.)
Wetlands				
Streambed	1.836			39326.23
Lake / Reservoir				
Ocean/estuary/bay				
Riparian			79.97	43519.53
Isolated Waters				
Total Impacts	1.836		79.97	

Status of CEQA and other natural resource documents and permits:

The CDFG, acting as lead agency under CEQA, approved the Mitigated Negative Declaration for the 2010 Fisheries Restoration Grant Program on February 26, 2010.

The U.S. Army Corps of Engineers (Corps) is expected to issue a renewed Regional General Permit 12 for the 2010 Fisheries Restoration Grant Program in June 2010.

The U.S. Fish and Wildlife Service (USFWS) and National Oceanic and Atmospheric Administration (NOAA) Fisheries are expected to issue Biological Opinions for the 2010 Fisheries Restoration Grant Program in June 2010.

Water Board staff are proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and the Porter-Cologne Water Quality Control Act. In addition, staff will consider all comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact Bob Solecki at (916) 341-5483 or rsolecki@waterboards.ca.gov

Date Posted: May 19, 2010

State Water Resources

Control Board Staff Contact:

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 State Water Resources Control Board
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Note: No regulatory decision on the application is implied or intended in this public notice.